

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



October 6, 2005

ALL-COUNTY INFORMATION NOTICE NO. I-68-05

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY CAPI PROGRAM MANAGERSSUBJECT: PARENT-TO-CHILD DEEMING PROCEDURES FOR  
THE CASH ASSISTANCE PROGRAM FOR IMMIGRANTS

REFERENCE: ACL 98-82

This All-County Information Notice (ACIN) provides instructions and a new worksheet to be used when determining Cash Assistance Program for Immigrants (CAPI) eligibility and payment amount for a minor child living with his or her parent(s).

**BACKGROUND**

CAPI regulations, as provided in Manual of Policies and Procedures (MPP) Section 49-035.71, states that the steps used in the deeming process for CAPI will be the same as those used to determine Supplemental Security Income/State Supplementary Payment (SSI/SSP) eligibility and benefit amount. It states further that detailed rules are found in 20 Code of Federal Regulations (CFR) 416.1160 et seq., which govern the SSI/SSP program, and that these federal rules are reflected in form SOC 452 for spouse-to-spouse deeming and form SOC 454 for sponsor deeming.

When the deeming worksheets were initially distributed (with All-County Letter 98-82), the parent-to-child deeming situation was overlooked because virtually all of the CAPI cases at that time were aged individuals. This ACIN corrects that oversight by providing a worksheet for determining CAPI eligibility and payment amounts in parent-to-child deeming situations. The new worksheet reflects the steps to be taken in the parent-to-child deeming process as outlined in 20 CFR 416.1165.

**REASON FOR THIS TRANSMITTAL**

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☒ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

### PARENT-TO-CHILD DEEMING

Parent-to-Child deeming applies whenever a minor child under age 18 lives with his or her parent(s), including step-parents. The parent-to-child deeming rules are applied through the month in which the child attains age 18. Counties must follow the steps as outlined on attached form SOC 452A to determine CAPI eligibility and payment amount whenever parent-to-child deeming applies. Please refer to MPP Sections 49-037.24 and 49-037.34 for which deeming rules to use when the ineligible parent is also the child's sponsor.

### ALLOWANCE FOR INELIGIBLE CHILDREN AND SPONSORED IMMIGRANTS IN DEEMING SITUATIONS

The current allowance for the year 2005 is \$290. This allowance is calculated by determining the difference between the federal SSI benefit amount for a couple and the federal SSI benefit amount for an individual.

This allowance can also be used for another immigrant (other than the child/applicant/recipient) if the ineligible parent is also the sponsor of that immigrant who is also receiving SSI/SSP or CAPI and is subject to sponsor-deeming from the same ineligible parent.

This allowance is entered, when appropriate, on the Income Eligibility - Child Worksheet (SOC 452A), line A.4.a, when determining a CAPI benefit amount for a case involving deemed income from an ineligible parent(s).

### PARENT(S)' ALLOWANCE IN PARENT-TO-CHILD DEEMING SITUATIONS

For one-parent households, this allocation equals the federal SSI rate for an individual, which is \$579 in 2005.

For two-parent households, this allocation equals the federal SSI rate for a couple, which is \$869 in 2005.

This allowance is entered, when appropriate, on the Income Eligibility - Child Worksheet (SOC 452A), line A.16, when determining a CAPI benefit amount for a case involving deemed income from an ineligible parent(s).

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Any questions regarding these adjustments should be directed to the Operations and Technical Assistance Analyst for your county at (916) 229-4000.

Sincerely,

JOSEPH M. CARLIN  
Acting Deputy Director  
Disability and Adult Programs Division

Attachment

c: CWDA

# **CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI) INCOME ELIGIBILITY – CHILD**

Name			Case No.	Month/Year	
<b>Parent(s)</b>			<b>Child/Recipient/Applicant</b>		
A. Income deemed to a blind or disabled child through the month he or she reaches age 18 and living with one or both parents. <sup>1</sup>			B. CAPI benefit determination for blind or disabled child who is under age 18 and living with one or both parents		
Income of parent and parent's spouse where neither is a CAPI/SSI recipient	Unearned	Earned	Income of child	Unearned	Earned
1. a. Social Security and other pensions			1. Income deemed to child (from A17) <sup>4</sup>		
b. Other unearned income			2. Child's unearned income (list)		
c. Other unearned income			a.		
2. Total Unearned income. (Add 1a, b & c)			b.		
3. Total gross Earned income			c.		
4. Allowance for ineligible children or sponsored CAPI/SSI recipients <sup>2</sup>			3. Total unearned income (B1 plus B2a, b, & c)		
a. Amount			4. General Exclusion	\$20	
b. Children's inc.			5. Net Unearned income (B3 minus B4)		
c. Net allowance (a - b)			6. Income based on need (CalWORKs, VA Pension)		
d. Total Allowance (sum of A3c's)			7. Countable Unearned income (B5 plus B6)		
5. Remaining Unearned income (A2 minus A4d)			8. Earned income		
6. Unused allowance (if A4d is greater than A2, enter the difference)			9. Unused \$20 exclusion from above		
7. Remaining Earned income (A3 minus A6)			10. Earned income exclusion		\$65
8. General Exclusion	\$20		11. Other earned income exclusions (IRWE, student exclusion)		
9. Countable Unearned income (A5 minus A8)			12. Total exclusions (Sum of B9, 10 & 11)		
10. Unused \$20 exclusion from above			13. Subtract B12 from B8, enter result		
11. Earned income exclusion		\$65.00	14. Divide B13 by 2, enter result		
12. Total exclusions (A10 plus A11)			15. Blind work expenses and remaining self support plan		
13. Earned income (A7 minus A12).			16. Earned countable Income (B14 minus B15)		
14. Divide A13 by 2. Enter result Countable Earned Income			17. Total countable income (B7 plus B16)		
15. Total countable income (A9 plus A14).			18. CAPI payment level		
16. Allowance for parent and spouse <sup>3</sup> 1 parent \$ _____ 2 parents \$ _____			19. CAPI payment (B18 minus B17)		
17. Income deemed to child. (A15 minus A16) (Also enter in B1)					
<p><sup>1</sup>If the ineligible parent(s) is receiving assistance based on need, deeming does not apply and the CAPI payment will be based on the child's own income under column B.</p> <p><sup>2</sup>Ineligible child's/sponsored recipient allowance equals the difference between the federal SSI individual and couple standards (\$290 in 2005). Sponsored CAPI/SSI recipients (other than child/recipient/applicant) must have income deemed from ineligible parent(s) and be eligible for CAPI or SSI/SSP.</p>					
			<p><sup>3</sup>Allowance for 1 parent = SSI individual standard (\$579 in 2005) Allowance for 2 parents = SSI couple standard (\$869 in 2005)</p> <p><sup>4</sup> Note: If more than 1 eligible child, divide deemable income equally among them.</p>		
Supervisor's Signature		Date	Worker		Date